

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

DONALD EUGENE GARDNER, )  
(AIS # 283161), )  
 )  
 Plaintiff, )  
 )  
 vs. ) CIVIL ACTION 12-0281-CG-C  
 )  
 HEUY MACK, et al., )  
 )  
 Defendants. )

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that summary judgment is **GRANTED** in favor of Defendants Sheriff Huey Mack, Assistant Chief Deputy of Corrections Dale Byrne, Sergeant Melvin Bradley, Officer Anthony Brown, Officer David Aldrete, Officer John Rowell, Officer Kendrick McNeal, Officer Joshua Keers, and Officer Mark Boyington, and the claims presented by the Plaintiff are **DISMISSED** with prejudice.

**DONE and ORDERED** this 2nd day of March, 2015.

/s/ Callie V. S. Granade  
UNITED STATES DISTRICT JUDGE